

FILED*06 OCT 20 10:46USDC-ORM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DAVID LINN DAUPHINE,)	
)	Civ. No. 04-947-CO
Petitioner,)	
)	
v.)	
)	
ROBERT SCHIEDLER,)	ORDER
)	
Respondent.)	
_____)	

PANNER, District Judge:

Magistrate Judge John P. Cooney has filed Findings and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). When either party objects to any portion of a Magistrate Judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

I have, therefore, given this case de novo review. I find no

- ORDER

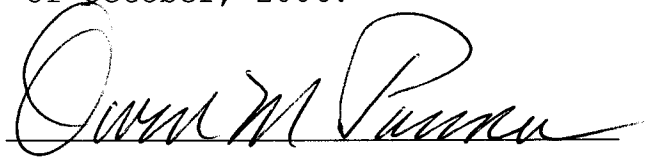
error. Accordingly, I ADOPT the Findings and Recommendation of Magistrate Judge Cooney.

CONCLUSION

Magistrate Judge Cooney's Findings and Recommendation (#57) is adopted. The petition (#1) is denied and this proceeding is dismissed.

IT IS SO ORDERED.

DATED this 20 day of October, 2006.

A handwritten signature in black ink, appearing to read "Owen M. Panner", is written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT COURT JUDGE